

UNITED STATES DISTRICT COURT

for the
Southern District of TexasUnited States of America
v.
Ralph Kyle WESTBROOK)
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Case No.

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 19, 2021 in the county of Webb in the
Southern District of Texas, the defendant(s) violated:*Code Section*

8 USC 1324

Offense Description

Knowing and in reckless disregard of the fact that an alien had come to, entered, and remained in the United States in violation of law, did transport and move and attempted to transport and move and conspired to transport and move such alien within the United States by means of transportation and otherwise in furtherance of such violation of law.

This criminal complaint is based on these facts:

Continued on Affidavit

☒ Continued on the attached sheet./S/Mario Villanueva*Complainant's signature*Mario Villanueva, Border Patrol Agent*Printed name and title*

Sworn to before me and signed in my presence,

Date: May 24, 2021*Judge's signature*City and state: Laredo, TexasDiana Song Quiroga, U.S. Magistrate Judge*Printed name and title*

AFFIDAVIT

In support of Criminal Complaint

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

V.

Ralph Kyle WESTBROOK

Case Number:

1. On May 19, 2021 at approximately 5:15 p.m., a Border Patrol Agent (BPA) arrested Ralph Kyle Westbrook for transporting twenty-one illegal aliens in furtherance into the United States through an immigration Border Patrol Checkpoint, located on Interstate Highway 35 near Laredo, Texas in Webb County.

2. A BPA was working his assigned duties at the immigration checkpoint when he observed a white tractor trailer approach his position at the commercial lane for inspection. As the driver, later identified as Ralph Kyle Westbrook, approached the inspection lane, he never came to a complete stop. As the tractor was slowly moving forward, Westbrook stated he was a United States Citizen (U.S.C.) without being asked the BPA. The BPA asked Westbrook where he was headed, and he yelled "Austin!" The BPA noticed the curtains to the sleeper were closed. Due to the loud noise of the tractor, the BPA stepped onto the tractor to better communicate with Westbrook. The BPA asked Westbrook if there was anyone in the tractor and he stated he was alone. The BPA then asked Westbrook if he could open the curtains of the sleeper, to which Westbrook slightly opened the curtain and the BPA was able to see a subject's leg. The BPA then asked Westbrook to fully open the curtain and the BPA discovered several subjects attempting to hide. Westbrook stated he did not know who those people were. The BPA then detained Westbrook and conducted an immigration on the subjects. A total of twenty-one subjects were discovered in the sleeper of the tractor and all subjects were determined to be foreign nationals with no legal documents to be in the United States. All subjects were placed under arrest and escorted inside the checkpoint for further processing and investigation.

3. Westbrook was read his Miranda Rights warning via service form I-214. Westbrook acknowledged his rights and refused to give a statement without an attorney present.

4. Gerardo Oliver Acua-Artigas, a Mexican Citizen, is serving as a material witness for the case. Acua-Artigas stated a family member made financial arrangements for him to be smuggled into the United States for \$9,000.00. He crossed the Rio Grande River on May 17, 2021 near Laredo, Texas with three other subjects including his spouse, Abrajan-Murillo. After they crossed the Rio Grande River, they were taken to multiple safe houses. Acua-Artigas stated on May 19, 2021, they were taken by an unknown man to a street where a white tractor was parked. Acua-Artigas stated the unknown man instructed them to get into white tractor through the passenger door that was open. As they entered the tractor, he observed an older white male wearing a pinkish shirt (Westbrook) sitting in the driver seat. Acua-Artigas was able to identify Westbrook as the driver of the tractor trailer via a six-pack photo lineup.

5. Claudia Abrajan-Murillo, a Mexican Citizen, is serving as a material witness for the case. Abrajan-Murillo stated a family member made arrangement for her to be smuggled into the United States for \$9,000.00. She crossed the Rio Grande River on May 17, 2021 near Laredo, Texas with three other subjects including her husband, Acua-Artigas. After they crossed the Rio Grande River, they were taken to multiple safe houses. Abrajan-Murillo stated on May 19, 2021, they were taken by an unknown man to a street where a white tractor was parked. Acua-Artigas stated the unknown man instructed them to get into white tractor through the passenger door that was open. As they entered the tractor, she observed an older white male with gray hair sitting in the driver seat.

SUBSCRIBED and SWORN to before me on

24th

day of

May, 2021

Signature of Judicial Officer

/S/ Villanueva, Mario Border Patrol Agent

Signature of Complainant